

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

v.

JOSE GUADALUPE DIAZ-RAMOS,
Defendant.

No. CR-06-2163-EFS-2

**ORDER ENTERING THE COURT'S ORAL
RULINGS FROM THE JANUARY 30, 2008,
HEARING**

A hearing was held in the above-captioned matter on January 30, 2008, in Yakima, Washington. Defendant Jose G. Diaz-Ramos was present, represented by Nicholas W. Marchi. James P. Hagarty appeared on behalf of the Government. Before the Court was the Government's oral motion to dismiss the Indictment based on Defendant's guilty plea in CR-06-2153-EFS, which charged Defendant with being an alien in the United States after deportation, in violation of 8 U.S.C. § 1326. Leave of Court is given to dismiss the Indictment (Ct. Rec. 1) against this Defendant; the Court, however, makes no judgment as to the merit or wisdom of this dismissal.

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The Government's oral motion to dismiss the Indictment is
3 **GRANTED.**

4 2. The Indictment (**Ct. Rec. 1**) shall be **DISMISSED WITH PREJUDICE**
5 against this Defendant.

6 3. All pending motions are **DENIED AS MOOT.**

7 **IT IS SO ORDERED.** The District Court Executive is hereby directed
8 to enter this Order and furnish copies to counsel, the United States
9 Probation Office, and the U.S. Marshals.

10 DATED this 5th day of February 2008.

11
12 s/ Edward F. Shea
13 EDWARD F. SHEA
United States District Judge

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